

# EXHIBIT T

THE HONORABLE MARSHA J. PECHMAN

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MARTHILDE BRZYCKI,

Plaintiff,

v.

HARBORVIEW MEDICAL CENTER and  
UNIVERSITY OF WASHINGTON,

Defendants.

CASE NO.: 2:18-cv-01582-MJP

**RESPONSES AND OBJECTIONS TO  
PLAINTIFF'S SECOND  
INTERROGATORIES AND THIRD  
REQUESTS FOR PRODUCTION TO  
DEFENDANTS**

TO: Plaintiff Marthilde Brzycki

AND TO: Christie J. Fix of Frank Freed Subit & Thomas LLP, Counsel for Plaintiff

**INTERROGATORIES**

**INTERROGATORY NO. 11:** Please identify all facts, witnesses, and documents upon which you base your contention set forth in Affirmative Defense No. 1 of your Answer to Plaintiff's Complaint that "some or all of Plaintiff's claims fail to state a cause of action for which relief may be granted."

**ANSWER:**

Defendant objects to this request to the extent it seeks information protected by the attorney-client privilege and work product doctrine. Without waiving and subject to this objection, Defendants respond as follows:

**RESPONSES TO PLF's 2<sup>nd</sup> Rogs and 3<sup>rd</sup> RFPs TO DEFENDANTS -**  
CASE NO. 2:18-cv-01582-MJP  
FG:10568863.2

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suite 3000  
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1  
2 **INTERROGATORY NO. 15:** Please identify all facts, witness, and documents upon which  
3 you base your contention set forth in Affirmative Defense No. 5 of your Answer to Plaintiff's  
4 Complaint that "all actions taken by Defendants were proper and lawful and the result of just  
5 cause, business necessity, and avoidance of an undue burden or hardship."

6 **ANSWER:**

7 This affirmative defense has been withdrawn.  
8

9 **INTERROGATORY NO. 16:** Please identify all facts, witness, and documents upon which  
10 you base your contention set forth in Affirmative Defense No. 6 of your Answer to Plaintiff's  
11 Complaint that "Plaintiff's claims are barred by the unclean hands and/or after-acquired  
12 evidence doctrines."

13 **ANSWER:**

14 Defendant objects to this request to the extent it seeks information protected by the attorney-  
15 client privilege and work product doctrine. Furthermore, discovery is continuing and  
16 Defendants have not had an opportunity to complete Plaintiff's deposition. Without waiving  
17 and subject to this objection, Defendants respond as follows:

18 Discovery to date has shown that Plaintiff engaged in various forms of misconduct, some of  
19 which Defendants did not previously know about and which could have led to Plaintiff's  
20 termination if known at the time, including but not limited to Plaintiff's improper use and  
21 removal of confidential patient health information and other confidential information through,  
22 inter alia, forwarding such information to her personal and unsecured email accounts. Plaintiff  
23 has knowledge about her misconduct. As for other witnesses, see the lists of witnesses in  
24 Plaintiff's and Defendants' initial disclosures and those persons identified in depositions taken  
25 to date. As for documents, see the documents produced to date in this matter by both parties.  
26 Discovery is continuing.

1 Objections Dated this 8<sup>th</sup> day of November, 2019.

2 FOSTER GARVEY PC

3  
4 By s/Seth J. Berntsen

5 Seth J. Berntsen, WSBA #30379

6 Adelle Greenfield, WSBA #52247

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9 Seattle, WA 98101

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11 Email: seth.berntsen@foster.com

12 Email: adelle.greenfield@foster.com

13 *Attorneys for Defendants*

PARTY VERIFICATION

I, William M Goodman, have read the foregoing responses to Plaintiff's First Set of Interrogatories and believe the answers to be true and correct to the best of my knowledge and recollection.

11-6-19

Date

William M Goodman

[Signature]

**CERTIFICATE OF SERVICE**

I, Dominique Barrientes, hereby certify that on November 8, 2019, I caused the foregoing RESPONSES TO PLAINTIFF'S SECOND INTERROGATORIES AND THIRD REQUESTS FOR PRODUCTION TO DEFENDANTS to be served on the person(s) identified below in the manner shown:

Christie J. Fix  
FRANK FREED SUBIT & THOMAS LLP  
705 Second Avenue, Suite 1200  
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(206) 682-6711  
cfix@frankfreed.com  
*Attorneys for Plaintiff*

- ☐ United States Mail, First Class  
☐ By Legal Messenger  
☒ By Email per Agreement  
☐ By Facsimile  
☐ Court's CM/ECF System

SIGNED this 8<sup>th</sup> day of November, 2019, at Seattle, Washington.

*s/Dominique Barrientes*

Dominique Barrientes, Legal Assistant  
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